

DID NOT SHAKE MCGUIRE

Speer's Attorney Tries Hard to Ruin His Testimony.

GOT MORE THAN HE BARGAINED FOR

Attempt to Impenach the Character of the Witness Unsuccessful—Yesterday's Proceedings in the Dogcatcher Case.

It was almost 11 o'clock yesterday before the trial of John Speer was taken up in the criminal court. The earlier part of the morning hour was occupied with the empanelling of the jury for the coming three weeks of this term of the district court. On account of the fact that two important criminal trials will occur during this time, the jury trial and the Morgan murder trial, jurors who did not desire to serve found it extremely difficult to be excused.

When the case was finally reached the cross-examination of Detective McGuire by Speer's attorney was taken up. A number of words were exchanged between the two, but in each case the witness had far the better of the exchange, and the attorney had at times some difficulty in suppressing his chagrin. He failed entirely in breaking down the testimony of the witness. McGuire was asked if he had filed two claims, one for \$50 and the other for \$100, for services rendered. He answered that he had been employed at a salary of \$100 a month and that the first account had been for his services during a part of July and the other for August. He said in answer to a question that he did not know where McGuire was sent to work for individually, but understood that he had been employed by the city.

The attorney for the defense attempted to confuse the witness regarding the distance between where he stood and the pound while he was counting the dogs that were drowned. But McGuire persisted in the statement that he was not more than 200 feet from the pound and could see everything connected with the killing of the dogs.

He was sitting on the edge of a patch of shrubbery and weeds, but not in the patch. The witness did not in any way obstruct his view. The pound house did not prevent him from seeing the operations of the poundmaster's employees in drowning the dogs.

The attorney also attempted to make the witness say that he could not tell whether one or two, or three dogs, if small, were taken out of the wagon at a time. McGuire said that he did not remember, but that he did recollect that he was in doubt whether the number of dogs drowned on one day was sixteen or sixteen, and testified that he had sworn in police court that there were sixteen in order to give the defendants the benefit of the doubt.

McGuire said that he had reported to Chief White two or three times while he was engaged in the work. He had done other work for the chief, but it occupied him during the early evenings and interfered in no way with watching the pound.

The attorney for the defense attempted to show that McGuire's character was not of the best because he had been a newspaper reporter, against whom a warrant had been issued on a charge of libel. McGuire said that he had known Bell only slightly before coming to Omaha, having met him in his reporter's capacity at a fire. When he came to this city Bell was out of work and accompanied McGuire in his investigation.

Then followed a lively tilt between the attorney and the witness. The attorney started out with a good deal of enthusiasm to prove that McGuire had been in this city, but that effect was fully explained by the witness.

"Were you arrested in this city, Mr. McGuire?" asked the attorney.

"I was never arrested in my life," was the answer.

"Were you ever taken in custody by a police officer?"

"Never."

"Did Officer Thomas take you into custody?"

"Never. He went down to the police station with me at my request. I know what you are referring to and I can explain it."

HE HAD TO HEAR IT.

The attorney did not want the explanation, but the county prosecutor insisted that it should be admitted. He had been making objection to the questions as each was asked, but the court had not sustained him in them. At this point he insisted, however, that the witness should be permitted to make a full answer to the question, instead of being cut off as he had been theretofore. The court upheld his position and McGuire went on to tell of the alleged arrest.

He said that while he was engaged on the Speer case he had been employed to do some other work at night. On the night in question he was shadowing a man who lived in the neighborhood of Officer Thomas' residence. His movements were probably suspicious, and the officer in his shirt sleeves accosted him. McGuire did not know he was a policeman until he showed a star. He then offered to accompany the officer to the nearest patrol box, where the latter might telephone to Chief White or Captain Mostyn to learn about his business. At the box they were met by Officer Rentfro. The station was called up, but neither the chief nor the captain was there and no one else on the force knew McGuire. Thereupon, at McGuire's request, the three went to the police station, when McGuire was identified by the captain.

THAT BECKETT CASE AGAIN.

Application for a Writ of Mandamus to Be Made.

Judge Scott has been notified by a notice filed with the clerk of the district court on December 3, at 9:30 o'clock a. m., or as soon thereafter as the case can be taken up, an application will be made to the supreme court for a writ of mandamus, compelling him to settle and allow a bill of exceptions in the contempt case against Attorney W. D. Beckett.

It will be remembered that Beckett had gone to see Scott in chambers and in the course of his conversation remarked that he would like to have Judge Duffie on the bench with Scott in a hearing on an injunction in the county poor farm case. This stirred up the blood of the judge of the criminal court, as he took the remark as something of an insinuation against himself, and he said that there would be no rehearing.

"But you said that I could have a rehearing," said Beckett.

"I did not," angrily answered the judge. "Get out of my office."

But Beckett would not meekly get out, and Scott's bailiff, Savage, jumped forward to put him out. He received a blow in the face from Beckett's fist and Beckett walked quietly out of the room. A few days later Beckett was fined \$100 for contempt of court, which was to be paid on the first day of September term. Scott refused a new trial, but the sentence was stayed by an order from the supreme court.

On August 17, on the same day that the contempt proceedings were instituted, Beckett filed a bill of exceptions. Scott refused to sign them, saying that there was no hurry in the matter. Beckett made a protest, but it was ignored and the bill was turned over to Scott for his signature. Since that time he has not seen fit to sign it. Beckett has therefore been unable to file a brief in the case in the supreme court and it is consequently being threatened with dismissal.

Judge Scott has been asked a number of times by the attorneys for Beckett to sign the bill, but he has never done so, although he has promised to sign every time. On October 19 an application for his signature was made, but he said that he had not examined the bill yet, but would do so before long. A number of other requests were made, the last one on October 31, when Scott announced that he intended to leave

the bench for two weeks. At that time he was too busy, but would sign the bill after election. It was shown to him that the case was set for hearing in the supreme court on November 6, and that therefore it was necessary to obtain his signature to the bill before he left in order to file a brief in time. Thereupon he promised to sign the bill at once and to file it with the clerk of the district court by October 23. When October 23 arrived the bill was not filed and Scott was out of the city and remained away for two weeks.

Seats Will Be in Demand.

During the trial of George Morgan, charged with the murder of Ida Gaskill, it will be necessary for spectators to come early in order to obtain admittance to the court room. It has been decided to admit no more persons into the room than can be comfortably seated. This rule will be enforced by a squad of special deputy sheriffs.

It is expected that there will be fully as great a number of people who will desire to be present at the trial as there was at the San Payne trial. During that trial the crowds in the court room were so dense that it was impossible for the court officials to do their work and the effect in the courtroom of the same condition shall not exist during the Morgan trial.

Moved for a New Trial.

A motion has been made for a new trial in the case against Charles Cummings, recently convicted of manslaughter. Among the reasons advanced in support of the motion is the alleged misconduct of the county attorney, who in his remarks to the jury said:

"This man ought to be convicted of murder in the first degree."

Application for a new trial was further supplemented, it is alleged, by that of the court, who is charged with having said in answer to the objection of the defendant's attorney to the remark that he did not think that the statement ought to be criticized.

Some Go to Other Judges.

The criminal docket of the district court is so crowded that it is being found necessary to transfer some of the cases to other judges. In consequence Judge Ferguson will this morning preside over the trial of F. E. Schmidt, who is charged with grand larceny. Schmidt is accused of having stolen a horse and buggy from the residence of Judge Hawcett. Several days after the robbery occurred he was captured in Iowa with stolen property in his possession, but he claimed that he had purchased it from another party.

Minor Court Matters.

John Baumer has mortgaged his entire stock at 1517 Douglas street for \$1,757, to his wife, Josephine Baumer.

Applications for receivers have been made in the cases of the National Life Insurance company against A. J. Herold, and of John Nicholas Brown against Mary Ann Fitzpatrick. The latter case has been referred to the supreme court, but it is alleged that the defendant remains in possession of the disputed property, and is collecting the rents.

Broken Out with Boils.

"I have been taking Hood's Sarsaparilla and it has cured me. I was all broken out with boils on my back and face, and was also troubled with a pain in my back so that I could not sleep nights. After taking two bottles of Hood's Sarsaparilla I was entirely cured."—Milburn Brundage, Cairo, Nebr.

Hood's Pills cure sick headache.

ANOTHER OLD SETTLER GONE.

David Knox Dies at His Home in This City.

David Knox, an old settler of Nebraska and one of the earlier residents of Omaha, died at his residence, 1439 North Nineteenth street, Sunday night.

Mr. Knox leaves a wife and three sons, the wife and two sons residing in this city and the eldest son in New York, where he has been for a number of years.

Mr. Knox was born in Scotland seventy-four years ago and emigrated to America when a child. He resided in Washington, D. C., until he was 40 years of age, when, catching the western fever, he came to this city with his family. He secured employment in the Union Pacific shops as a machinist, and through long years of application placed himself at the head of his department.

Mr. Knox was a member of the Clan Gordon Scottish lodge from the time of its organization. He was elected to the house of representatives of this state in 1876. The funeral will be held at the family residence this afternoon at 2 o'clock, with interment at Forest Lawn cemetery.

Leading All Competitors.

The exceedingly fast time to Colorado, Utah, Idaho, Montana, Oregon and California now being made by the Union Pacific package train in the lead for both first and second class travel, tickets, time tables or any information call on A. C. DUNN, City Pass and Ticket Agent, 1302 Farnam Street.

Norgreen and His Dog.

D. T. Jamieson appeared at police headquarters yesterday and displayed a suit to the prosecuting attorney that seemed to have passed through a corn sheller. He stated that he resided at 214 South Twenty-sixth street and that when returning home last night he was assailed by a large dog belonging to a man named Norgreen, living at 218 South Twenty-sixth street. Norgreen will be arrested today on complaint charging him with harboring a vicious dog.

Get One for Nothing.

One of those handkerchiefs, shown by affidavits to have been blessed by Francis Schuster (with his picture) the same identical ones that certain dealers are offering at 25c a piece we give away free with every purchase, no matter how small. Come and examine the original affidavits regarding them, which are on exhibition at our store.

FIRE SALE OF CLOTHING.

115 South 16th street, where you can buy a dandy man's suit for \$2.95; a serviceable overcoat, \$2.85.

Swift, Very Swift.

Leave Omaha today, arrive Salt Lake tomorrow, San Francisco next day and Los Angeles morning of the third day. That is what you can do via the Union Pacific, but not via any other line.

Buy your tickets via "The Overland Route."

A. G. Bartley of Magic, Pa., writes: "I feel it a duty of mine to inform you and the public that DeWitt's Witch Hazel Salve cured me of very bad case of eczema. It also cured my boy of a running sore on his leg."

Pell by the Wayside.

Burton Hiles, an old offender on the drunk and disorderly list, was up before Judge Berka for the first time in many months. Hiles stated that he had been in Salt Lake for nearly a year and that he had not drunk a drop of liquor during that time. He was passing through the city Sunday night on his way east and stopped off to see some old friends. Their arguments had been too strong for him and he had fallen by the wayside. The judge pardoned the offense and sent Hiles on his way rejoicing.

Awarded Highest Honors—World's Fair.

DR. SCOTT'S

CREAM BAKING POWDER

MOST PERFECT MADE.

A pure Grape Cream of Tartar Powder, Free from Ammonia, Alum or any other adulterant. 40 YEARS THE STANDARD.

GATHERING IN ANOTHER PLANT.

Whisky Trust Makes Overtures to the Columbian Distillery.

The two Omaha distilleries, the Willow Springs and the Columbian, will remain closed for a time at least. The Willow Springs concern is a part of the property of the trust, having been gathered in some years ago. Some weeks ago the information was given out that the plant would open for business early next month. Now, however, notwithstanding the fact that there is an abundance of corn and that it is cheaper than has been known for years, the edict has gone forth that the opening of the concern has been postponed for an indefinite period of time.

Up to this time the Columbian distillery has been an independent concern, running regardless of the orders or desires of the trust. As such, it had completed arrangements for starting up the coming week. Things, however, have changed and it is impossible to say when the Columbian will be in operation. It was reported that officers of the trust had been negotiating with the officers of the company and that they had offered a large subsidy if they would keep their plant closed for an indefinite period.

Yesterday the manager of the Columbian plant said that there was some truth in the report that trust officers had been making overtures. The proposition had not been accepted, yet one thing was certain, and that was that the distillery would not commence making spirits for a time, at least.

Buy your fancy apples for Thanksgiving of the Nebraska Farmer, 310 N. 16th.

Choice Sheridan potatoes, new buckwheat flour, celery and cranberry cheap at Wm. Gentileman's, Cor. 16th and Cass sts.

EVERY ONE KNOWS

John Baumer, Omaha's Most Reliable Jeweler.

His stock was made up of the latest, most exquisite gems and novelties known to the jeweler's art. In fact, his only trouble was to find room for the goods. He was in the time and slow trade forced him to the wall. Hayden Bros. bought his entire stock at their own offer, and have placed the goods on display at less than one-third jeweler's prices. What a chance to buy Christmas presents and ornaments of every description.

See ad. of other goods on second page.

5445 P. M. or a quarter to six.

The new "Omaha-Chicago Special," arriving at Chicago next morning a quarter to nine.

City ticket office, 1401 Farnam street.

Omaha Gets a New Train.

The Overland Limited, via Union Pacific-Northwestern, formerly known as Omaha sleeper, will start at 5:45 p. m., now leaves an hour earlier, and in its place, at a quarter to 6 every evening, the NORTHWESTERN line starts a new sleeper train in OMAHA, from OMAHA and for OMAHA, arriving in Chicago at 8:45 o'clock next morning. A clean, vestibule-gas lit-AK-Sar-Ber-Ber, with sleeping-cupboard-chair cars—free and dining car (Northwestern). City ticket office, 1401 Farnam street.

A Clean Sweep

Is what the OMAHA-CHICAGO SPECIAL, via the NORTHWESTERN, gets before starting east at 5:45 p. m. That is because it is a complete OMAHA train from UNION PACIFIC DEPOT, OMAHA. City ticket office, 1401 Farnam street.

Men's Articles, \$1.00; Women's Articles, 90c. Omaha Tent & Rubber Co., 1311 Farnam.

Columbia Metal Polish. Cross Gun Co.

Ten Hours Saved.

Second class passengers for San Francisco via the Union Pacific now save 10 hours' time. "Time is money." Buy your tickets via "The Overland Route." A. C. DUNN, City Pass and Ticket Agent, 1302 Farnam Street.

Consultation Free.

Consult your best interests and go east via the evening Northwestern sleeper, OMAHA-CHICAGO SPECIAL, at "a quarter to six," arriving at Chicago at 8:45 o'clock the next morning.

City ticket office, 1401 Farnam street.

Hayden Bros' ad is on page 2.

"Making Things Hum."

No. 6, Omaha, 5:45 p. m., Chicago, 8:45 a. m. No. 2, Omaha, 4:45 p. m., Chicago, 7:45 a. m. No. 1, Chicago, 6:00 p. m., Omaha, 8:10 a. m. No. 3, Chicago, 10:45 p. m., Omaha, 3:35 p. m. No. 8, Omaha, 10:30 a. m., Chicago, 7:00 a. m. No. 10, Chicago, 4:30 p. m., Omaha, 9:30 a. m. THE NORTHWESTERN LINE. City ticket office, 1401 Farnam street.

Hayden Bros' ad is on page 2.

Elkhorn Again Changes Time.

To take effect Sunday, Nov. 24, the following changes of time will occur in time of trains on P. E. & M. V. R. R. Black Hills Express will leave Omaha 2:10 p. m. daily. Arrive Fort Springs 9:05 a. m., head west 11:00 a. m. at Fort Springs, connecting at Fremont for Lincoln daily and for Superior and Hastings lines daily except Sunday, at Scribner with Albion line daily except Sunday, and at Cheyenne with the Wyoming line except Sunday.

Norfolk local will leave Omaha 7:50 a. m. daily except Sunday, connecting at Fremont with Lincoln line, and at Norfolk Junction with Verdugo line.

Black Hills Express will arrive at 5:30 p. m. Norfolk local will arrive 10:25 a. m.

Hayden Bros' ad is on page 2.

FUNERAL NOTICE.

The funeral of David Knox will take place at 2 o'clock Thursday afternoon at his late residence, 1439 North 19th street, Forest Lawn.

Dr. Bailey

34 Floor Paxton Bldg. 16th & Farnam. Tel. 1088.

High Class Work at Reasonable Prices.

Set Teeth.....\$5.00

Best Teeth.....\$7.50

Fillings.....\$1.00 upward

22 kt. Gold Crowns.....\$6.00 to \$8.00

Bridge Teeth, per tooth.....\$6.00

Painless Extracting.....50c

BANK GOES OUT OF BUSINESS.

Nebraska Savings and Exchange Bank Closes Its Doors.

The Nebraska Savings and Exchange bank has decided to wind up its affairs and is now in the hands, at the request of the bank directors, of the state bank examiner.

At a meeting of the directors of the bank on Saturday evening the following resolution was adopted: Whereas, The long-continued business depression throughout the country, and especially in the state of Nebraska, has made it difficult to realize satisfactory profits in business, and as we do not consider it sufficiently remunerative as to profits in future to continue the business of this bank; therefore be it

Resolved, By the board of directors of the Nebraska Savings and Exchange bank that we now voluntarily take the necessary steps to wind up the affairs of this bank as soon as practicable.

E. L. Dodder, Jr., state bank examiner, was called to the city and was at once requested to take charge of the affairs of the bank.

The Nebraska Savings and Exchange bank has been in operation for about eight years. John Rush, who was one of the original stockholders, has been president for the past two years. The officers of the bank are: John Rush, president; J. H. Evans, vice president; and William K. Potter, cashier. E. A. Benson is also a director.

Mr. Dodder, the bank examiner, states that the deposits amount to \$100,000 and that the resources of the bank amount to \$362,000. He says that prospects are that depositors will be paid in full.

Vice President Evans, in speaking of the situation said: "The affairs of the bank will be wound up without the loss of a cent to any except the stockholders. Depositors will be paid in full just as rapidly as the resources of the bank can be realized upon. The assets of the bank, like those of all savings concerns, are in long time investments and our inability to realize upon them promptly enough to meet the demands of the depositors led to the decision to close up the affairs. Not one of the depositors will lose anything by the liquidation of the directors to go out of the business."

Marriage Licenses.

The following marriage licenses were issued yesterday:

Name and address. Age. John Pinaut, Omaha.....26

May E. Everslin, Omaha.....22

Chester C. Williams, Elk City, Neb.....23

Little M. Somers, Elk City, Neb.....23

Patrick Morrison, South Omaha.....25

Bridget Fitzgerald, South Omaha.....29

James E. Quinn, Elkhorn, Neb.....24

Orlorn, Omaha.....24

Timothy Killen, Omaha.....26

Annie Barry, Omaha.....26

Green A. Green, Omaha.....22

Stella Hagerman, Omaha.....22

Mark L. Felner, Peoria, Neb.....22

Lucile B. Osborn, Omaha.....20

James J. Wagner, Rawlins, Wyo.....20

Julia Stenzel, Omaha.....20

Bushels of Literature.

As has before been announced, the Omaha Sunday School association will devote the time of the conference this evening to the "Christmas Entertainment Idea," and in this

connection the president and secretary of the association have been corresponding with a number of publishing houses with a view to obtaining sample copies of Christmas literature. As a result the Sunday school workers who attend the conference at the First Methodist church will have an opportunity to inspect something like a wagon load of Sunday school literature.

The address of the evening will be by Rev. McCracken of the First Presbyterian church. Mrs. T. C. Clendenning and Miss Margaret McAlra will read papers on the best methods to be followed in giving Christmas entertainments.

Women do many things that get them all out of order. Careless dressing, exposure to draughts, over exertion—these and many others start the trouble. A little gold may run into the most serious complications. Perhaps none of these things would amount to much if only carefully remedied at once. Neglect is a most prolific cause of serious female troubles, and by the trouble is so most aggravated that the physician's skill is needed and then the examinations so much in vogue at present, render the sufferer still longer.

As a matter of fact, examinations and "local treatment" should not be submitted to till everything else has failed. Nine times in ten, they are wholly unnecessary. Women were cured before these obnoxious methods came into practice. For over 30 years, Dr. Pierce's Favorite Prescription has been successfully prescribed for all derangements of the womanly organism. It is remarkable for its effect on the whole system. It makes the blood pure, makes digestion better, helps stomach, kidneys and bowels and is wonderful in its effects on the generative organs. It immediately begins to allay the inflammation and stops the debilitating drain that is always apparent. As the inflammation ceases, the pain stops, the nerves are quieted and the increased bodily strength does the rest.

All suffering women should send for the 168 page book "Woman and Her Diseases" by Dr. J. C. Pierce. It is sent free in plain wrapper on receipt of ten cents to partly cover postage. By WORLD'S DISPENSARY MEDICAL ASSOCIATION, No. 663 Main Street, Buffalo, N. Y.

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